REMARKS/ARGUMENTS

Applicants note that the filed patent application included 20 claims. However, in the Office Action, the Examiner rejection only extended to claims 1-16. Applicants request that the Examiner allow or provide grounds of rejection for pending original claims 17 and 18.

1. Amended Claim 1 Complies with the Definiteness Requirement

The Examiner found that the pre-amended version of claim 1 is indefinite and fails to comply with the requirements of 35 U.S.C. §112, par. 2. During the phone interview, the Examiner requested Applicants to identify the structure in the Specification that provides written description for the means requirements of claim 1.

The Specification discloses a database engine 200 having an IDS transaction manager 201 in FIG. 2 that performs such claimed operations as generating a global transaction ID, maintaining a list of data sources that participated in a transaction. See, pg. 12 of the Specification. The Specification also describes the transaction operations as being performed by the IDS, see, pg. 22-23, such as shown in FIG. 2 and 3, which has a transaction manager as shown in FIGs. 2 and 3. Thus, the Specification provides written description of structure and equivalent to support the means limitations of claims 1.

Accordingly, Applicants submit that the indefiniteness rejection of claim 1 under 35 U.S.C. §112, par. 2 should be withdrawn.

2. Claims 1-5, 8, 10, 11, and 14 are Patentable Over the Cited Art

The Examiner rejected claims 1-5 and 8 as anticipated (35 U.S.C. §102(b)) by CICS Application Programming Guide (CICS APG).

Amended claim 1 recites a database engine comprising: a transactional mechanism supporting heterogeneous distributed transactions, said transactional mechanism having: means for recognizing data sources conforming to an industry standard interface for interaction between a transaction manager and resource manager, said data sources including structured and non-structured external data sources; and means for managing transactions in which said data sources participate by: generating a global transaction identifier for each distributed transaction; accessing support functions for data source types for data source registered to participate in the transaction identified by the global transaction identifier; and

maintaining a list of all of the recognized heterogeneous data sources that participated in the global transaction identified by the global transaction ID.

During the phone interview, Applicants discussed proposed amendments which Applicants have made to claims 1, requiring: generating a global transaction identifier for each distributed transaction; accessing support functions for data source types for data sources registered to participate in the transaction identified by the global transaction identifier; and maintaining a list of all of the recognized heterogeneous data sources that participated in the global transaction identified by the global transaction ID. The Examiner requested applicants to submit the proposed amendments and patentability arguments for consideration.

The added requirement of generating a global transaction identifier for each distributed transaction is disclosed on pg. 12 of the Specification. The added requirement of accessing support functions for data source types for data sources registered to participate in the transaction identified by the global transaction identifier is disclosed on pgs. 13, 22-23 and 26 of the Specification. The added requirement of maintaining a list of all of the recognized heterogeneous data sources that participated in the global transaction identified by the global transaction ID is disclosed on pgs. 12-13 of the Specification.

Applicants further amended claim 1 to replace "X/Open XA standards" with "an industry standard interface for interaction between a transaction manager and resource manager". This replaced definition is disclosed on pg. 5, lines 4-5 of the Specification.

The Examiner cited pg. 1 of CICS APG as disclosing the requirements of the pre-amended version of claim 1. (Office Action, pg. 2) Applicants traverse with respect to amended claim 1.

The cited CICS APG mentions that CICS allows access to relational databases that provide a programmable interface through embedded SQL commands. If the relational database is not compliant with the X/Open XA standard, or the relational database is not accessed with the XA interface, then two-phase commit cannot be coordinated by CICS. The cited pg. 1 further mentions that that CICS facilities must be used for transaction control if the relational database is compliant with the X/Open XA interface. The CICS code ensures that the two-phase commit protocol is used to update the relational database system and region.

Although the cited CICS APG discusses how CICS facilities may be used for transaction control to manage transactions for a database compliant with X/Open XA interface, the

Examiner has not cited any part of the CICS APG reference that discloses the added claim requirements of generating a global transaction identifier for each distributed transaction; accessing support functions for data source types for data sources registered to participate in the transaction identified by the global transaction identifier; and maintaining a list of all of the recognized heterogeneous data sources that participated in the global transaction identified by the global transaction ID. These added requirements for managing transactions for multiple data sources are not disclosed in the cited pg. 1.

Accordingly, Applicants submit that claim 1 is patentable over the cited art because they cited CICS APG does not disclose all the claim requirements.

Claims 2-5 are patentable over the cited CICS APG reference because they depend from claim 1, which is patentable over the cited art for the reasons discussed above.

The Examiner rejected claims 9-16 for the reasons discussed with respect to claims 1-8. (Office Action, pg. 6)

Applicants amended claim 9 to comprise the database engine of claim 1and remove certain limitations. Amended claim 9 is patentable over the cited art because it depends from claim 1, which is patentable over the cited CICS APG for the reasons discussed above and, because the combination of the further limitations of claim 9 in combination with the base claim 1 provides additional grounds of patentability over the cited art.

Applicants amended claim 10 to substantially include the requirements of the database engine of amended claim 1 within a database server. Applicants submit that amended claim 10 is patentable over the cited art for the reasons discussed with respect to claim 1.

Claims 11 and 14 substantially include the requirements of claims 5 and 8. Applicants submit that claims 11 and 14 are patentable over the cited art because they depend from claim 10, which is patentable over the cited art for the reasons discussed above.

Applicants amended claim 15 to comprise the database server of claim 1and remove certain limitations. Amended claim 15 is patentable over the cited art because it depends from claim 10, which is patentable over the cited CICS APG for the reasons discussed above and because the combination of the further limitations of claim 15 with the base claim 10 provides additional grounds of patentability over the cited art.

Applicants amended claim 16 to substantially include the requirements of the database engine of amended claim 1 within a database server. Applicants submit that amended claim 10 is patentable over the cited art for the reasons discussed with respect to claim 1.

Claims 17 and 18 are patentable over the cited art because they depend from claim 16, which is patentable over the cited art for the reasons discussed above.

3.   Claim 6 and 12 are Patentable Over the Cited Art

The Examiner rejected claim 6 as obvious (35 U.S.C. §103) over CICS APG in view of McKeehan (U.S. Patent No. 6,016,495).

Applicants traverse on the grounds that claims 6 and 12 are patentable over the cited art because they depend from amended claims 1 and 10, which are patentable over the cited art for the reasons discussed above.

4.   Claims 7 and 13 are Patentable Over the Cited Art

The Examiner rejected claim 6 as obvious (35 U.S.C. §103) over CICS APG in view of Chorn (U.S. Patent No. 6,275,843)

Applicants amended claims 7 and 13 to remove a redundant limitation with respect to requirements added to base claims 1 and 10.

Applicants traverse on the grounds that amended claims 7 and 13 are patentable over the cited art because they depend from amended claims 1 and 10, which are patentable over the cited art for the reasons discussed above.

5.   Added claim 21-23 are Patentable Over the Cited Art

Claims 21, 22, and 23 depend from claims 1, 10, and 16 and further require that the industry standard interface comprises the X/Open XA standard. This requirement is disclosed on at least pg. 5, lines 4-5 of the Specification.

These claims are patentable over the cited art because they depend from amended claims 1 and 10, which are patentable over the cited art for the reasons discussed above.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-7, 9-13, 15-18, and 21-23 are patentable over the art of record. Applicants submit herewith a petition for a one month extension of time and the accompanying fee. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0460.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: December 20, 2006   By: /David Victor/

                                                   Registration No. 39,867

Please direct all correspondences to:

David W. Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: (310) 553-7977
Fax: 310-556-7984